

above. The amendment to claim 1 is fully supported by the specification and claims as originally filed.

Claim 1 and 5-10 under U.S.C. § 102(b) as being anticipated or in the alternative under 35 U.S.C. § 103(a) as obvious over Catt et al. (W0 95/13531). By the above amendments to the claims and the remarks below the Applicants assert that the Examiner's rejection is rendered moot.

The Applicants by the above amendment to the claims have better defined the present invention. The invention as now defined by the claims further specifies that reading can only be initiated by the correct receipt of said assay device causing the contact portion of the casing to contact the displaceable switch actuating means in a lock-and-key engagement with a such that upon displacement of the displaceable portion of the switch actuating means will reading be initiated. The invention as now claimed is not disclosed in the cited reference or is there any suggestion of this mechanism provided by the cited reference. Accordingly, the Applicants assert that the present invention, as now claimed is not anticipated or rendered obvious by the cited Catt reference.

Claims 1 and 5-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jina et al. (U.S. Patent 5,526,120). Similar to the cited Catt reference discussed above, the Jina reference absolutely fails to disclose or suggest the mechanical interaction specifically defined in the Applicants claims. There is no requirement or suggestion in Jina that the lock and key engagement and the requirement for displacement of the interacting displaceable portion of the switch actuating means is required to initiate reading. By the above amendments to the claims and the remarks below the Applicants assert that the Examiner's rejection is rendered moot.

Having addressed all of the Examiner's objections and rejections, the Applicants assert that the present application is in condition for allowance. Early notice to that effect is respectfully requested.

Respectfully submitted,

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